

VDOT

STATE NOISE

ABATEMENT POLICY

Virginia Department of Transportation

Approved November 21, 1996

Effective January 1, 1997

AUTHORIZATION

The state noise abatement policy is adopted pursuant to the authority of Section 33.1-12 of the Code of Virginia.

STATE NOISE ABATEMENT POLICY

It is the policy of the Virginia Department of Transportation (VDOT) to employ the following criteria and procedures in determining the need for and the reasonableness and feasibility of noise abatement measures along Virginia's highways. The U. S. Code of Federal Regulations Part 772 (23 CFR 772) will be the guiding document for the analysis and abatement of highway traffic noise.

TYPE I PROJECTS

A Type I project involves the construction of a highway on new location or the physical alteration of an existing highway which significantly changes the horizontal or vertical alignment or increases the number of through traffic lanes. When the abatement criteria contained in this policy are satisfied in conjunction with a Type I project, noise abatement must be provided.

TYPE II PROJECTS (RETROFIT)

A Type II or retrofit project involves the construction of noise abatement along an existing highway when not in conjunction with an improvement of that highway. VDOT does not participate in Type II or retrofit noise abatement.

NOISE IMPACTS

- A. Noise impacts occur when the projected highway noise levels:
 - 1. Approach (reach one decibel less than) or exceed the Noise Abatement Criteria (NAC) contained in 23 CFR 772, or
 - 2. Exceed existing noise levels by a substantial amount (10 decibels or more).
- B. Noise impacts beyond 1000 feet (305 meters) from the roadway will not be considered in determining the need for noise abatement

ABATEMENT CRITERIA

- A. A noise abatement measure will be considered cost effective if the cost of the measure per protected residential property does not exceed \$30,000. Each residential (dwelling) unit will be considered as a single residential property.
- B. The cost-effectiveness determination for non-residential properties will be handled on a case by case basis and will include, in addition to the abatement cost, the type and duration of the activity taking place, the size of the affected area, the severity of the impact, and the amount of noise reduction to be provided.

- C. To be protected, a property must be impacted and receive a minimum of 5 decibels of noise reduction.
- D. Extenuating circumstances will be considered on a case by case basis.

THIRD PARTY FUNDING

- A. When the cost of a noise abatement measure exceeds VDOT's cost effectiveness ceiling but the measure otherwise satisfies the criteria contained in this policy, the measure can still be constructed, provided
 - 1. A third party funds the amount above the cost ceiling and,
 - 2. VDOT receives the third party share prior to the date of submittal of the plans, Specifications, and Estimates (PS&E).
- B. If a third party requests the use of VDOT right of way for the construction of a noise abatement measure deemed unnecessary by VDOT, the request can be granted, provided:
 - 1. The third party assumes 100% of the abatement cost including, but not limited to, preliminary engineering, construction, and maintenance, and,
 - 2. VDOT's material, design, and construction specifications are met.

STATE FUNDED NOISE ABATEMENT

For state funded projects that meet the FHWA Type I project definition, VDOT will consider and, if reasonable and feasible, construct and maintain noise abatement measures, provided the local jurisdiction through which the project traverses:

1. Agrees to assume 50% of the abatement cost and.
2. Has an ordinance requiring developers to include noise abatement in their plans for residential and other noise sensitive developments adjacent to existing highways and future highway alignments previously adopted by the Commonwealth Transportation Board.

The abatement measures constructed by developers will ensure compliance with the FHWA Noise Abatement Criteria, where these criteria can be reasonably achieve, but will at the minimum provide 5 decibels of noise reduction for each property to be protected. The abatement measure can be located in total or partially right of way, provided:

The developer complies with VDOT's design, construction, and materials specifications and,

- b. The local jurisdiction is responsible for maintaining the abatement measures.

UNDEVELOPED LAND

In assessing the noise abatement measures associated with a highway project, undeveloped lands will be treated as developed lands, if and only if a proposed land use development plan has been approved by the local jurisdiction prior to the date of approval of the project alignment by the Commonwealth Transportation Board. The final decision concerning noise abatement for a proposed development will be conditioned on two points:

1. The noise barrier will not be constructed until the portion of the development to be protected by the barrier is completed to the satisfaction of VDOT, and
2. When there is a substantial time lapse between the final decision and the date the development is completed, the noise barrier analysis will be updated and the decision will be reconsidered.

DECISION AUTHORITY

- A. For federal aid projects, the joint FHWA-VDOT Noise Abatement Committee will have the responsibility for assembling all relevant information and developing noise abatement related recommendation. On non-federal aid projects, the Committee's function will be carried out by its members.

- B. The Chief Engineer, on behalf of the Commonwealth Transportation Board, will make the final determination on all noise abatement related issues.